

Translation

PATENT COOPERATION TREATY

PCT/EP2003/003218



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PSOL037wo	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP2003/003218	International filing date (day/month/year) 28 March 2003 (28.03.2003)	Priority date (day/month/year) 02 April 2002 (02.04.2002)
International Patent Classification (IPC) or national classification and IPC F26B 13/10		CORRECTED VERSION
Applicant SOLIPAT AG		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
- ☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).
- These annexes consist of a total of 5 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 13 August 2003 (13.08.2003)	Date of completion of this report 27 July 2004 (27.07.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP2003/003218

I. Basis of the report

1. With regard to the elements of the international application:*

- ☐ the international application as originally filed
- ☒ the description:
 pages 1-14, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☒ the claims:
 pages _____, as originally filed
 pages _____, as amended (together with any statement under Article 19
 pages _____, filed with the demand
 pages 1-17, filed with the letter of 18 February 2004 (18.02.2004)
- ☒ the drawings:
 pages 1/6-6/6, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item. These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/EP 03/03218

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	2-17	YES
	Claims	1	NO
Inventive step (IS)	Claims	2-17	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-17	YES
	Claims		NO

2. Citations and explanations

1. Claim 1

Document FR-A-2 225 706 already discloses a device with a circulating upper belt and a circulating lower belt, which are permeable to the treatment medium, for conveying a nonwoven, said device having at least one nozzle arrangement on at least one side of the path of conveyance for blasting a treatment medium in the direction of the path of conveyance (see figures 3 and 4 and the associated description), the at least one nozzle arrangement having a plurality of adjacent blast nozzles arranged at intervals from each other and a space being formed between each two adjacent blast nozzles, said space between the blast nozzles being substantially sealed in the direction of the path of conveyance. Although the space has an outlet channel, this channel can also be sealed easily, as is required by the alternative feature disclosed in the characterizing part.

It should be noted when interpreting the claims to evaluate novelty that the features relating to an intended particular type of use (in this case, that the device is used to reinforce a nonwoven conveyed continuously along a path of conveyance) are not considered differentiating

features and thus should not be taken into account (cf. PCT International Preliminary Examination Guidelines, chapter IV, paragraph 7.6).

Therefore, the present application does not satisfy the criterion stipulated in PCT Article 33(2) because the subject matter of claim 1 is not novel in relation to the prior art as defined in the Regulations (PCT Rule 64.1 to 64.3).

2. Claim 2

None of the documents of the procedure discloses a device wherein, when the device is in operation, the space between the blast nozzles is sealed such that between the at least one nozzle arrangement and the nonwoven a pressure area is formed in which excess pressure can be generated by the blast nozzles.

This also plausibly enables the nonwoven, even when relatively thick, to be evenly reinforced across its entire thickness.

The device according to claim 2 thus appears to fulfill the criteria set out in PCT Article 33(2), (3) and (4), since the subject matter of claim 2 is novel and involves an inventive step. The industrial applicability of the invention is already established by its intended purpose.

3. Claim 12

Independent method claim 12 essentially defines the method steps mentioned in claim 2 in terms of device features, and so the arguments given above with respect to device claim 2 similarly also apply to the method claim.

Claim 12 thus also satisfies the requirements of PCT Article 33(2), (3) and (4).

4. Claims 3-11 and 13-17 .

Dependent claims 3-11 and 13-17 relate to advantageous embodiments of the device according to claim 2 and the method according to claim 12, respectively. Therefore, on the basis of the inventive device claimed by claim 2 and the method claimed by claim 12, they likewise satisfy the requirements of PCT Article 33(2), (3) and (4)